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10 *Attorneys for Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, as
11 substituted party for Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not
12 in its individual capacity but as Trustee of ARLP Trust 3*

13 **UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA**

15 U.S. BANK TRUST, N.A., AS TRUSTEE FOR
16 LSF9 MASTER PARTICIPATION TRUST,

17 Case No.: 2:15-cv-02295-RFB-NJK

18 Plaintiff,

19 **STIPULATION AND ORDER TO EXTEND
20 TIME TO RESPOND TO 9796 MOUNT
21 CUPERTINO TRUST & KENNETH
22 BERBERICH'S MOTION TO DISMISS
23 U.S. BANK'S FIRST AMENDED
24 COMPLAINT**

25 **[FIRST REQUEST]**

26 vs.
27 9796 MOUNT CUPERTINO TRUST,
28 KENNETH BERBERICH AS TRUSTEE, an
unknown entity; DOES I through X; and ROE
CORPORATIONS I through X, inclusive,

29 Defendants.

30 Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust as
31 substituted party for Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not
32 in its individual capacity but as Trustee of ARLP Trust 3, ("U.S. Bank"), and Defendant, 9796
33 Mount Cupertino Trust and Kenneth Berberich, as Trustee (hereinafter "Cupertino Trust" or
34 "Buyer"), by and through their respective counsels of record, hereby stipulate as follow:

35 **STIPULATION**

36 1. Buyer filed its Motion to Dismiss ("Motion") on April 28, 2019 [EFC No. 44]

1 2. Current deadline to file the response to the Motion is May 13, 2019.
2 3. U.S. Bank requests additional time to file a response to the Motion and the Buyer
3 does not object to the request.
4 4. Therefore, the parties agree that U.S. Bank's response to the Motion is now due on or
5 before **May 28, 2019.**

6 DATED this 13th day of May, 2019.

7 WRIGHT, FINLAY & ZAK, LLP

8 /s/ Rock K. Jung, Esq.

9 Robert A. Riether, Esq.

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11 Rock K. Jung, Esq.

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14 Las Vegas, NV 89117

15 *Attorneys for Plaintiff, U.S. Bank Trust, N.A.,
as Trustee for LSF9 Master Participation
Trust, as substituted party for Christiana
Trust, a division of Wilmington Savings Fund
Society, FSB, not in its individual capacity but
as Trustee of ARLP Trust 3*

16 DATED this 13th day of May, 2019.

17 AYON LAW, PLLC

18 /s/ Luis A. Ayon/, Esq.

19 Luis A. Ayon, Esq.

20 Nevada Bar No. 9752

21 8716 Spanish Ridge Avenue,

22 Las Vegas, Nevada 89148

23 *Attorneys for 9796 Cupertino Trust and
Kenneth Berberich, as Trustee*

24 **Case Number:** 2:15-cv-02295

25 **ORDER**

26 IT IS SO ORDERED.

27 Dated this 14th day of May, 2019.



28

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

29 Submitted by:

1 **WRIGHT, FINLAY & ZAK, LLP**

2 /s/ Rock K. Jung, Esq.

3 Robert A. Riether, Esq.

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5 Rock K. Jung, Esq.

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Trust, as substituted party for Christiana Trust,
a division of Wilmington Savings Fund Society,
FSB, not in its individual capacity but as Trustee
of ARLP Trust 3*

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